

2 to 4

ORIGINAL

34
9/27/02
vff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JODY K. BUTTS, individually and as parent :
and natural guardian for RASHUN R. :
SUNCAR and LEQUINN BUTTS, minors , :
and MARK A. MARTIN, JR., individually, :
Plaintiffs :

NO. 1:00 CV-1893

FILED
HARRISBURG, PA

SEP 26 2002

MARY E. D'ANDREA, CLERK
Deputy Clerk

vs.

JURY TRIAL DEMANDED

Judge Conner

CITY OF YORK, OFFICER CURTIS D. :
BEHM, OFFICER NICHOLAS W. FIGGE :
and POLICE COMMISSIONER HERBERT :
GROCIK, :
Defendants :

PLAINTIFFS' MEMORANDUM OF LAW

This is in response to Defendants City of York and Police Commissioner Herbert Grofcik's Motion for Summary Judgment. After reviewing Defendants City of York and Police Commissioner Grofcik's Motion for Summary Judgment and reviewing said Defendants' Brief in support of their Motion and supporting documents and researching the applicable law, my clients, the Plaintiffs, have decided not to oppose said Defendants' Motion for Summary Judgment.

September 26, 2002

Peter B. Foster

Peter B. Foster
Attorney for Plaintiffs
PINSKEY & FOSTER
121 South Street
Harrisburg, PA 17101
(717) 234-9321

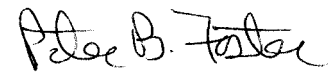
CERTIFICATE OF SERVICE

I hereby certify that on this date, September 26, 2002, I served copies of the foregoing Plaintiffs' Memorandum of Law on Defendants City of York and Herbert Grofcik by mailing said copies by U.S. Mail at Harrisburg, PA to the following attorneys at the following addresses:

Frank J. Lavery, Jr., Esquire
LAVERY, FAHERTY, YOUNG & PATTERSON
P.O. Box 1245
Harrisburg, PA 17108-1245

Donald B. Hoyt, Esquire
Solicitor's Office
1 Market Way East, 3rd Floor
York, PA 17101

September 26, 2002



Peter B. Foster
Attorney for Plaintiffs